

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ANDREA VARGAS, JUAN VARGAS,
personally, and as father of JV, a minor,
and ADAM VARGAS, DANNY VARGAS,
CODY OLACHEA, and KAYSHA SAIZ,

Plaintiffs,

vs.

CV 11-00082 JCH/CG

OFFICER MIKE BRISENO, OFFICER DAVID GRIEGO, SERGEANT ROBERT PEREZ, OFFICER ERIC HAANES, OFFICER JOHN GARCIA, and OFFICER DAVID ROCK, police officers employed by the City of Farmington, New Mexico, Police Department, all named individually as to the events of July 7, 2008, and individually and in their official capacities as to the events of September 3, 2009, and, LIEUTENANT NEIL HAWS, SERGEANT MATT WILCOX, and OFFICER CARLOS LOOMIS, sheriff's officers employed by the San Juan County Sheriff's Office, all named individually as to the events of July 7, 2008, and individually and in their official capacities as to the events of September 3, 2009, and OFFICER ROCKY VELARDE, a police officer employed by the New Mexico State Police individually as to the events of July 7, 2008, and individually and in his official capacity as to the events of September 3, 2009, and OTHER UNKNOWN POLICE OFFICERS, employees of law enforcement entities of the State of New Mexico or its political subdivisions, individually as to the events of July 7, 2008, and individually and in their official capacities as to the events of September 3, 2009,

Defendants.

ORDER GRANTING MOTION TO WITHDRAW

THIS MATTER comes before the Court on attorney Santiago Juarez's *Third Motion to Withdraw as Counsel and Thirty Day Extension Until New Counsel is Retained by Plaintiffs*, (Doc. 69). Mr. Juarez again seeks to withdraw as counsel for all remaining Plaintiffs and he requests a 30 day extension of time for Plaintiffs to respond to Defendants'

pending motions. (*Id.* at 3). Mr. Juarez states that he cannot represent his clients because they have consistently failed to communicate with him or assist in prosecuting the case. (*Id.*; Doc. 63 at 2). Mr. Juarez has also stated that, as of February 14, 2011, Plaintiffs have retained new counsel to represent them. (Doc. 65 at 2). Mr. Juarez has provided his clients and opposing parties with an opportunity to object to the withdrawal. No parties filed opposition to the motion except for attorney Patricia Williams - counsel for several Defendants - who agreed to the motion only so long as Plaintiffs are required to disclose the name of their new counsel within a week of the order granting the motion to withdraw. (Doc. 69 at 3).

The Court, having considered the motion, noting that it complies with District of New Mexico Local Rule 83.8(b), and otherwise being fully advised in the premises, **FINDS** that the motion is well-taken and will be **GRANTED**.

IT IS THEREFORE ORDERED that attorney Santiago Juarez be permitted to withdraw as counsel for Plaintiffs. Until such time as Plaintiffs' new attorney enters an appearance, all filings shall be mailed to Plaintiffs' addresses as follows:

Andrea Vargas, Juan Vargas, Danny Vargas
603 Taos Avenue,
Farmington, NM 87401

Adam Vargas
6900 Chantell Avenue,
Farmington, NM 87401
(505) 427-4610

Cody Olachea
584 Head Street
Farmington NM 87401

IT IS FURTHER ORDERED that Plaintiffs file their responses to Defendants' pending motions within 30 days of this Order.

A handwritten signature in black ink, appearing to read "Carmen E. Garza", with a long horizontal line extending from the end of the signature.

THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE